523. Part III: Additional Supplementary Information

OVERVIEW

Environmental permit applicants are required to provide relevant information in response to questions, commonly referred to as "IT Questions" that address the potential for facilities to adversely impact the human and natural environment in the vicinity of the proposed facility. These responses must be considered by the LDEQ during the decision–making process on environmental permits pursuant to the Louisiana Supreme decision in the case of Save Ourselves, Inc. vs. Louisiana Control Commission. The following responses clearly demonstrate the following: the potential adverse environmental impacts resulting from the continued operation of the facility have been avoided to the maximum extent possible; a cost-benefit analysis demonstrates that the social and economic benefits of the facility outweigh the environmental-impact costs; there are no possible alternative projects that would offer more protection to the environment than the facility without unduly curtailing non-environmental benefits; there are no alternative sites that would offer more protection to the environment than the facility without unduly curtailing non-environmental benefits; and there are no mitigating measures that would offer more protection to the environment than the facility without unduly curtailing non-environmental benefits.

INTRODUCTION

Gordon's Disposal, LLC. (Gordon's Disposal) currently operates a Type III construction and demolition debris landfill and separation facility at 614 Coteau Road, New Iberia, Louisiana. The facility is approximately 0.3 miles northwest of Burke, Louisiana along Louisiana State Highway 182, then approximately 0.5 miles southwest of the site.

A. A discussion demonstrating that the potential and real adverse environmental effects of the facility have been avoided to the maximum extent possible:

The Gordon Disposal is an existing facility that operates in accordance with an approved solid waste standard permit (P-0287). The landfill has been in operation since 1995. This permit application is for the renewal of the permit for the facility located at 614 Coteau Road New Iberia, Louisiana. Gordon's Disposal has operated and continues to operate the landfill to avoid all potential and real environmental impacts to the maximum extent reasonably possible. The design of the facility meets all applicable state and federal regulations of the solid waste permit. The principal objectives of the facility design is to minimize the potential for adverse environmental effects and to avoid, to the maximum extent possible, any adverse environmental effects. The design for the facility incorporates safeguards, engineering controls, operations and maintenance programs that provide for minimal environmental impact. No known, measurable adverse environmental impacts of an enduring nature have been demonstrated during the operation of the landfill and no measurable adverse environmental impacts are anticipated to result from the renewal of the standard permit. Therefore, the

potential and real adverse environmental effects of landfill have been avoided to the maximum extent possible.

Consideration has been given to location characteristics, facility characteristics, surface hydrology, runoff, geology, and other factors in order to avoid and/or minimize to the greatest extent possible any adverse environmental effects. Operation of the facility in accordance with the standards of the solid waste regulations assures that real and potential adverse environmental effects of the facility will continue to be avoided to the maximum extent possible.

The facility is contained within property owned by Gordon Doerle and is constructed to minimize any potential pathways for the release of contaminants. All storm water is directed through permitted outfalls, sampled and reported per permit requirements. The landfill is permitted to accept construction and demolition debris, woodwastes, and yardwastes, as defined by LAC 33:VII.115, for disposal. It is intended that all waste placed into the landfill will remain on-site permanently.

The facility is designed and constructed to minimize any potential pathways for the release of waste materials. The operation of the solid waste facility is designed to provide convenience, safety and environmental compliance. Employees will verify that the incoming waste is permitted for acceptance at the facility. Sufficient equipment will be provided and maintained at the facility to meet operational needs. All equipment involved in facility operations is periodically inspected and maintained to prevent breakdowns and ensure proper operation.

The potential adverse environmental effects from the proposed facility include impacts associated with litter, air contamination (odor, dust, *etc.*), groundwater contamination, surface water run-off, fires, explosions, and adverse effects associated with noise and adverse effects on adjoining properties. However, real adverse environmental affects of the facility are minimal. There are no endangered species, recreational areas, wildlife management areas, or sensitive ecological areas within 1,000 feet of the facility. Approximately 72% of the existing land use within three miles of the facility is agricultural and undeveloped land. Additionally, the site is located outside of the 100-year floodplain, as determined by the U.S. Army Corps of Engineers (USACE).

Listed hazardous wastes will not be received by the facility for disposal. Hazardous wastes are wastes defined as a hazardous waste in the current Louisiana Hazardous Waste Regulations (LAC 33:V.) and/or by the Federal government under the Resource Conservation and Recovery Act and subsequent amendments.

The original design and current facility operations of the landfill minimize the potential for impacts to the air, surface water and groundwater. During the initial permitting stage, considerations were given to using criteria for location characteristics, facility characteristics, surface hydrology and storm water

management, geology, and other factors that will not result in primary adverse environmental effects. The facility is located in an area with sufficient clayey soils to form migration barriers and isolate the landfill from the surrounding environment. Additionally, the waste is contained within secure disposal cells. The existing and future disposal areas will be closed as they reach capacity thereby limiting the exposed operational areas and the quantity of water that is managed as contact storm water in the oxidation pond. Additionally, the facility continues to implement environmentally sound operational procedures to ensure that the potential adverse effects of the facility are minimized and all applicable permit requirements are followed.

The major objective of the overall facility design is to minimize the potential for adverse environmental effects. Specifically, the permit renewal application affects the current permitted disposal capacity (life span) of the facility and a proposed expansion area.

The existing area of the facility used for waste disposal, as well as the area to be used through the approval of this permit application have been adequately investigated and characterized by the installation of soil borings. The boring logs confirm that soils at the site are silty clays to approximately twenty feet, then sandy clays to approximately thirty feet, then silty sand. The proposed excavation for landfill cells will provide for a minimum three-foot thick layer of natural soil above any sand strata, as indicated by the borings. Therefore, low permeability clays will be maintained beneath the proposed expansion. Additionally, two feet of low permeability clays will be placed over the waste during closure and contaminated storm water will be routed to the oxidation pond for treatment prior to discharge.

The application will allow Gordon's Disposal to maximize the disposal capacity by utilizing areas within the existing permitted boundary of the facility and the expansion area of the facility in accordance with good engineering practices. This additional airspace would allow for an environmentally sound and cost-effective method of solid waste disposal while pursuing a long-term solid waste disposal site.

The construction and operational procedures outlined in the approved permit have enabled the facility to conduct daily operations with minimal effects on the surrounding environment. The increase in disposal capacity will extend the useful life of the landfill that has served the disposal needs associated with Gordon Doerle's construction, collection and hauling businesses, as well as the needs of the local community and surrounding parishes in an environmentally safe and secure manner.

As stated, the facility is currently permitted as a Type III construction and demolition debris landfill. The application will allow Gordon Doerle to increase landfill capacity by expanding the existing footprint, and to continue operating the landfill in an environmentally sound manner. The structurally and environmentally

sound qualities utilized to construct and operate the landfill, as described above, will not be compromised by the modification of the facility.

Waste handling procedures will be a high priority at the facility. The safety of workers, the public, and the environment will be ensured by procedures at each stage of facility operations. The facility is equipped with a device or method to determine quantity (by wet-weight); sources; and types of incoming waste.

The facility is accessible by a main road. The road is gated and remains closed and locked during non-operating hours. The gate can only be opened by employees of the facility. The gate and the fence that surrounds the facility prevent unauthorized ingress or egress, except by willful entry. A sign listing the types of waste accepted by the facility is posted at the entrance to the facility.

There are no organic vapors, gases or odors emitted from the facility that would endanger local residents or other living organisms. For these reasons, as well as the operational controls in place, there will be no impacts to the environment as a result of odor, vectors, dust or litter. The facility is an environmentally sound disposal facility with no toxic emissions or effluents.

Dust, litter, odors, pathogens, and vectors are not expected to be problems because of the nature of the material and the facility operations. All containers will provide containment of the wastes and thereby control litter, odor, and other pollution of adjoining areas. In addition, provisions will be made for at least daily cleanup of the facility.

Given the nature of the material being utilized, the operations of the facility, and the safety and training programs, the likelihood of any impact to the general public or employees from fires, explosions, *etc.*, is extremely remote. Although the possibility of fire or other emergencies from the operation of the facility is unlikely, emergency procedures will be in place to respond to any type of emergency that might arise at the facility. Additionally, fire protection and medical care services will also be available locally. Plans are also in place to transport seriously injured personnel to a local hospital. The emergency procedures will be reviewed annually or more often as needed.

In conclusion, no measurable adverse environmental impacts are anticipated to result from the operation of the facility. Therefore, the potential and real adverse environmental effects of facility have been avoided to the maximum extent possible.

B. A cost-benefit analysis demonstrating that the social and economic benefits of the facility outweigh the environmental impact costs;

In as much as no measurable adverse environmental impacts of an enduring nature have been demonstrated during the operation of the landfill and no measurable environmental impacts are anticipated to result from the continued operation through the renewal of the standard permit, no specific or formal cost

benefit analysis has been made, or is considered warranted, in connection with this permit renewal application. Nevertheless, it is obvious that social and economic benefits outweigh the environmental impact costs. The facility is specifically designed and operated to minimize environmental impacts in a cost-effective manner.

In order to identify environmentally sensitive areas that could be influenced by the continued operation of the landfill, correspondence was sent to several state and federal offices listed below requesting a file review for environmentally sensitive areas near the project area:

- Louisiana Department of Wildlife and Fisheries
- U.S. Army Corps of Engineers
- Louisiana Office of Cultural Development

There are no known historical sites, recreational areas, archaeological sites, designated wildlife management areas, or habitat for endangered species within 1,000 feet of the landfill site. There are no known threatened or endangered species within 1,000 feet of the landfill site. Additionally, the facility has a water discharge permit covering discharges from the oxidation pond.

The economic viability of Gordon Doerle's construction and hauling business is dependent upon the ability to continue the operation of the construction and demolition debris disposal facility in an environmentally sound and cost-effective manner. The potential environmental impacts from the disposal facility were carefully considered in the design and development of the operational procedures for the site during the initial permitting process. The design of the landfill meets or exceeds the standards developed by the LDEQ and the facility operates in accordance with an approved solid waste permit. The landfill is integral to the viable operation of Gordon Doerle's construction, collection, and hauling related businesses. In addition, the landfill provides an environmentally sound and cost effective disposal option for Iberia Parish and other surrounding parishes. The City of New Iberia executed a contract with Gordon Doerle for the weekly collection and disposal of yard waste and construction and demolition debris from residential households with the City of New Iberia. As such, the landfill provides the local community with an affordable option for the lawful disposal of wastes that would otherwise likely be burned or illegally dumped. Local businesses and surrounding parishes depend on Gordon Doerle's ability to continue to operate the Type III disposal facility in an environmentally sound manner.

The landfill is established and the renewal application will not provide a negative economic impact on the facility or the community. The renewal application will allow Gordon Doerle to increase capacity of the landfill by utilizing additional areas for waste disposal. In addition, the oxidation pond will be utilized to meet the requirements of all applicable regulations and the landfill will continue the positive economic benefit to the local community, the parish, and the state as a whole.

The design provides the most cost effective and environmentally sound option for solid waste management for Gordon's Disposal and surrounding areas. The responsibility for the operation, maintenance, monitoring, and closure will remain with Gordon's Disposal. Financial assurances will be provided on an annual basis to the LDEQ in accordance with the Solid Waste Regulations.

In summary, businesses, individual citizens within the local community and surrounding parishes, and the business and construction related activities of Gordon's Disposal are dependent on Gordon Doerle's ability to construct and utilize a Type III disposal facility that meets all applicable state and federal regulations. In addition, the social and economic benefits of the proposed modification and the continued use of the existing landfill outweigh any adverse environmental impacts and environmental impact costs.

C. A discussion and description of possible alternative projects that would offer more protection to the environment without unduly curtailing non-environmental benefits;

The Gordon Doerle Landfill was constructed primarily to service the disposal needs of Gordon's Disposal. Nevertheless, the facility directly impacts the local community and surrounding parishes by providing an environmentally sound and cost-effective method of solid waste disposal. The permit renewal application will allow Gordon's Disposal to continue facility operations and to increase the disposal capacity of the landfill and meet current state and federal regulations governing waste disposal.

The renewal of the permit will allow the useful life of the facility to be extended by maximizing the permitted boundary of the facility. The proposed design of the facility creates additional air space for the placement of solid waste with minimal effect on the surrounding environment as the expansion occurs within the operational boundaries of the facility. The landfill has more than adequately served the waste disposal needs of the Gordon's Disposal, the local community and surrounding parishes in an efficient and environmentally safe manner.

The use of a commercial construction and demolition debris and woodwaste landfill for the disposal of waste collected and hauled by Gordon's Disposal would result in a significant increase in waste transportation and disposal costs to Gordon's Disposal in comparison to the continued utilization of the existing landfill. Also, use of a public landfill would use up landfill capacity that could otherwise be available to other businesses that do not have the ability to develop their own Type III landfill. The existing landfill is considered to be superior to this alternative because it provides Gordon's Disposal with complete control of landfill operations and prevention of potential environmental impacts.

Any alternative waste handling or disposal method is not economically feasible and is not warranted at this time from an environmental protection standpoint. Any alternative project would unduly curtail non-environmental benefits (cost-effective Type III solid waste disposal) and will consume a public resource (public landfill capacity). Therefore, a more in-depth consideration of alternative projects

is not considered necessary or appropriate since this is an existing facility and no measurable adverse environmental impacts of an enduring nature have been demonstrated and no measurable adverse environmental impacts are anticipated to result with continuing operation of the landfill by increasing the capacity of the landfill.

Gordon's Disposal is proposing to continue the operation of the existing landfill by renewing the existing solid waste permit to allow for the continued operation of the facility and an increase in disposal capacity. Considering this is an existing facility for the disposal of Type III waste streams constructed in accordance with all applicable permits, there are no other activities that could provide more protection without unduly curtailing nonenvironmental benefits. Additionally, no commercial facility offers the level of control over both immediate and long-term risks, which Gordon's Disposal provides with its own design and operation because the handling, transport, and disposal of the waste disposed in the landfill are under the direct supervision of Gordon's Disposal personnel.

In conclusion, because no measurable adverse environmental impacts of an enduring nature have been demonstrated and no measurable adverse environmental impacts are anticipated to result from the increased capacity of the landfill, no alternative projects are considered necessary.

D. A discussion of possible alternative facilities which would offer more protection to the environment without unduly curtailing non-environmental benefits; and

A traditional sites analysis was not conducted in this particular case because this permit application is for an existing facility. Gordon's Disposal has access to an existing infrastructure and the continued operation of the facility meets the needs of Gordon's Disposal in terms of an improved, environmentally sound cost-effective solid waste management program.

Location in an established area is the most satisfactory buffer against any potential impacts on residential or public-use areas. There are no alternative sites that would offer more protection to the environment than the existing facility without unduly curtailing non-environmental benefits.

Finally, no commercial facility offers the level of control over both immediate and long-term risks, which Gordon's Disposal could provide with its own design and operation.

Additionally, environmental factors, social factors, and cost-related factors were critical issues in the initial site selection process.

In conclusion, because no measurable adverse environmental impacts of an enduring nature are anticipated to result from the continued operation of the facility, no alternative locations are considered necessary. Hence, there are no alternative

sites that would offer more protection to the environment than the existing facility without unduly curtailing non-environmental benefits.

E. A discussion and description of the mitigating measures which would offer more protection to the environment than the facility, as proposed, without unduly curtailing non-environmental benefits.

Gordon's Disposal has chosen the most environmentally sound and cost effective method to manage the incoming waste stream to the disposal facility. The facility has a management plan and the controls and monitoring necessary to ensure optimum safe operation and provide the most environmentally-sound approach to waste disposal at the facility.

Procedures are a high priority at the facility. The safety of workers, the public, and the environment will be ensured by procedures at each stage facility operations.

Planned development training, maintenance, and emergency procedures for the facility will ensure that all operating personnel perform safe and sound operating tasks, perform required equipment maintenance and be well-trained to deal with the event of a fire or other contingency.

Gordon's Disposal maintains routine management and administrative records and documentation necessary for the preparation of reports required by the LDEQ as outlined in the Solid Waste Rules and Regulations. These records will be maintained throughout the operational life of the facility and kept on file for at least three years after closure.

Gordon's Disposal record-keeping system will contain the following, at a minimum:

- Copies of the current Louisiana Solid Waste Rules and Regulations
- The solid waste permit
- The solid waste permit application
- Solid waste permit modifications
- Any other applicable or required data deemed necessary by the administrative authority

The facility will maintain a copy of all applicable environmental permits, annual reports, records, and other documents specified in the permit application as necessary for the effective management of the facility and for preparing the required reports. These records will also be used to ensure compliance with state and federal regulations.

The records will be utilized to ensure that the facility is operated in accordance with all applicable permits. The records will also be used as the foundation for all reports required by the LDEQ and for the management of information for control of facility operations.

An annual report will be submitted to the Office of Management and Finance, Financial Services Division and Permits Division indicating quantities (expressed in wet-weight tons per year) and types and sources of material disposed at the facility during the reporting period. This form will be updated if changed by the LDEQ. The reporting period for the annual report will be from July 1 through June 30 and will be submitted to the LDEQ by August 1 of each reporting year.

The Manager will have the responsibility of seeing that the facility's practices and processes are engineered, constructed, maintained and operated to provide safe and healthy conditions at all times. The Manager will ensure that a designated facility personnel will supervise all activities to ensure the safety of all persons at the facility through inspection, training, and instruction. Safety will be the primary consideration during all operating activities.

Each employee will receive initial and periodic on-going training through Safety Meetings supervised by the facility's manager or designee. Such meetings will cover basic subjects such as: (1) personal protective equipment; (2) waste handling procedures; (3) operation of equipment; and (4) contingency operations.

As discussed in the response to LAC 33:VII.523.A, the potential and real adverse environmental impacts of the proposed facility have been avoided to the maximum extent possible. This is a result of the design and operational measures that are incorporated into the facility to protect the environment.

In conclusion, the facility is designed and operated to meet or exceed all applicable environmental, industry, and company standards. No measurable adverse environmental impacts of an enduring nature are anticipated to result from the operation of the facility; therefore, no additional mitigating measures are deemed necessary. Should applicable environmental standards and limitations be redefined in the future, appropriate environmental controls and mitigating measures will be designed and implemented as necessary to achieve the revised standards and limitations. Gordon's Disposal knows of no other mitigation measures, in terms of site selection, project design, project operations, or waste reduction/recycling that would offer more protection to the environment than the continued utilization of the facility without unduly curtailing non-environmental benefits.